

JUL 24 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FRANK E. VOTH,

Plaintiff - Appellant,

v.

GUY HALL; et al.,

Defendants - Appellees.

No. 08-35145

D.C. No. CV-07-01260-TMC

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Ann L. Aiken, District Judge, Presiding

Submitted July 14, 2008**

Before: SCHROEDER, LEAVY and IKUTA, Circuit Judges.

Appellees' motion for an extension of time to file the answering brief is granted. The Clerk shall file the answering brief received on July 3, 2008.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

Upon review of the record and the parties' briefs, this court hereby summarily affirms the district court's order denying appellant's motion for preliminary injunctive relief as moot. *See United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) (per curiam) (summary affirmance appropriate where result is clear from face of record).

All other pending motions are denied as moot.

Appellant's petition for writ of mandamus filed in this appeal on May 21, 2008 is denied.

AFFIRMED.